

Madge Lee Socky, as Personal)	Civil Action No. 3:02-1782-24
Representative of the Estate of)	
Frank J. Socky,)	
)	
Plaintiff,)	PETITION FOR APPROVAL
)	OF SETTLEMENT
vs.)	
)	
Versa Products, Inc.; G & L Products,)	
Inc.; and David R. Lambert,)	
)	
Defendants.)	
)	

1. Plaintiff, Madge Lee Socky, is the duly appointed Personal Representative of the Estate of Frank J. Socky, her late husband. Ms. Socky was the duly appointed Personal Representative of the estate of her husband pursuant to an Order of the Richland County Probate Court.

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the Defendants' ladder was defective and that Defendants were negligent in the manufacture, design, testing, and warning of users and the public regarding the risks associated with the use of this ladder.

3. Plaintiff is informed that Defendants have a total of \$2,000,000.00 of insurance coverage applicable to this claim with St. Paul Surplus Lines Insurance Company of St. Paul, Minnesota.

4. Mr. Socky was survived by his wife, Madge Lee Socky, and his son, Fred Socky. Mrs. Socky is the sole residual beneficiary under Mr. Socky's Will. There are no creditors of record.

5. Subject to the approval of this Court, the above-captioned parties have reached a settlement as set forth below:

- a. Payment by Defendants to Plaintiff of \$700,000.00 upon court approval of the settlement; and
- b. Agreement by Plaintiff's counsel that they will not disclose to the media the terms and amount of settlement, provided that all parties hereto recognize that the terms and amount of settlement will be a matter of public record.

6. The Plaintiff has carefully considered the matter and believes the settlement offer to be fair and just, to be in the best interest of the estate, the heirs at law, and statutory beneficiaries, and that the same should be approved and accepted by this Court.

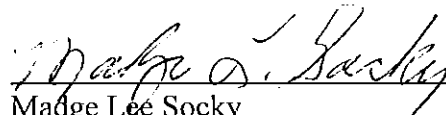
7. Plaintiff seeks the Court's approval of attorney's fees in this matter. Plaintiff retained as counsel Richard Mark Gergel of Gergel, Nickles & Solomon, P.A., of Columbia, South Carolina, on the basis of a 40% contingency fee. Plaintiff's counsel has voluntarily agreed, however, to reduce that fee to 35% of the gross settlement amount. Thus, Plaintiff seeks Court approval for an attorney's fee of \$245,000.00.

8. The fee agreement between Plaintiff and counsel further provides that counsel be reimbursed for all expenses reasonably incurred in the course of this representation. The total expenses incurred in this matter are \$71,931.31, which are set forth in detail in the attached statement.

9. Plaintiff seeks the Court's approval of the allocation between wrongful death and survival claims. Plaintiff proposes that 75% of the settlement amount be allocated to the wrongful death claim and 25% allocated to the survival claim.

WHEREFOR, Plaintiff prays unto the Court for the following relief:

- A. Approval of the settlement as set forth in this Petition;
- B. Approval of attorney's fees as set forth in this Petition;
- C. Approval of costs as set forth in this Petition;
- D. Approval of the allocation as set forth in this Petition; and
- E. Authorization for Plaintiff to execute documents releasing defendants and dismissing the pending action with prejudice.

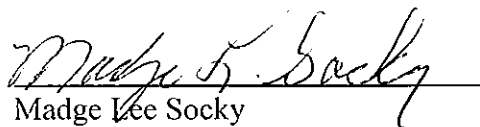


Madge Lee Socky
Personal Representative of the Estate of
Frank J. Socky

STATE OF SOUTH CAROLINA)
) VERIFICATION
COUNTY OF RICHLAND)

Madge Lee Socky, being duly sworn, deposes and states as follows:

1. I am the duly appointed Personal Representative of the Estate of Frank J. Socky.
2. I have read the foregoing Petition and, to my personal knowledge, it is truthful and accurate.


Madge Lee Socky

SWORN TO BEFORE ME THIS

25th day of July, 2005


Notary Public for South Carolina (L.S.)

My Commission Expires: 10/19/10

07/20/2005 RMG

GERGEL, NICKLES & SOLOMON, P.A.
P. O. BOX 1866
COLUMBIA, SC 29202-1866

EST. FRANK J. SOCKY
C/O MADGE LEE SOCKY
6 BARONY PLACE CIRCLE
COLUMBIA SC 29229

Client #:
File #: 01-256
As of Date: 07/19/2005

RICHARD M. GERGEL

RE: PRODS. LIAB.

For Services Rendered From 07/06/2001 Through 07/19/2005

COSTS ADVANCED		
DATE	DESCRIPTION	AMOUNT
07/06/2001	HAZARD, KEEFE & LEANE ENGINEERING, INC.	4,000.00
07/16/2001	ACCIDENT RESEARCH SPECIALIST	1,734.00
07/23/2001	VERSALADDER	101.85
07/31/2001	ACCIDENT RESEARCH SPECIALIST	2,183.90
10/14/2001	HAZARD KEEFE & LEANE ENGINEERING	1,228.01
03/12/2002	LOWES	119.00
05/22/2002	SERVICE FEE	20.00
07/15/2002	SERVICE FEE	100.00
08/19/2002	BATTERIES	18.88
06/06/2003	OLIVER G. WOOD, JR.	1,768.60
06/18/2003	HAZARD, KEEFE & LEANE	4,212.00
06/30/2003	UNITED PROCESSING INC	155.00
11/19/2003	ACCIDENT RESEARCH SPECIALIST	2,368.55
05/18/2004	HAZARD, KEEFE & LEANE	3,685.61
06/07/2004	HAZARD, KEEFE & LEANE	13,428.12
07/16/2004	ACCIDENT RESEARCH SPECIALIST	1,237.50
07/30/2004	CAROLINA FIRST BK	165.00
08/11/2004	GARRISON & KEIFER, P.C.	50.00
09/15/2004	KEVIN HERBERT	47.50
09/15/2004	ALISON HERBERT	47.50
09/22/2004	STEVEN G. FULKERSON	40.00
11/17/2004	DENNIS J. AMBER	50.00
01/14/2005	THOMAS J. WILLS, ESQ.	1,187.50
04/25/2005	HAZARD, KEEFE & LEANE	4,760.00
07/13/2005	WILLS & MASSALON, LLC	400.00
07/19/2005	FILING FEE	289.50
07/19/2005	WESTLAW SEARCH	1,097.02
07/19/2005	FEDERAL EXPRESS	29.90
07/19/2005	COURT REPORTER FEE	14,058.50
07/19/2005	LONG DISTANCE CALL(S)	141.16

EST. FRANK J. SOCKY
File #: 01-256

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07/19/2005	COPIES	3,404.74
07/19/2005	UPS	207.18
07/19/2005	PICTURES/VIDEOS	575.48
07/19/2005	HOTEL	2,441.33
07/19/2005	AIR LINE TICKETS	4,552.93
07/19/2005	CAR RENTAL	971.77
07/19/2005	KANE COPIES	3,053.28
TOTAL COSTS ADVANCED:		<u>\$73,931.31</u>

PAYMENTS

DATE	DESCRIPTION	AMOUNT
08/06/2004	Payment Received - Thank You	2,000.00
TOTAL PAYMENTS RECEIVED:		<u>\$2,000.00</u>
PREVIOUS BALANCE:		0.00
CURRENT CHARGES:		73,931.31
LESS PAYMENTS:		2,000.00
TOTAL AMOUNT DUE:		<u>\$71,931.31</u>

PLEASE MAKE CHECK OUT TO GERGEL, NICKLES & SOLOMON, P.A.
PLEASE INCLUDE YOUR FILE NUMBER ON YOU CHECK
YOUR PROMPT PAYMENT WILL BE APPRECIATED
ALL TIME IS CALCULATED IN INCREMENTS OF 1/10 OF AN HOUR.